



REGISTRAR OF REGULATIONS
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COMMONWEALTH of VIRGINIA

Department of Health
DIVISION OF SHELLFISH SANITATION
109 Governor Street, Room 614-B
Richmond, VA 23219

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NOTICE AND DESCRIPTION OF SHELLFISH AREA CONDEMNATION NUMBER 036-197, MILFORD HAVEN AND EDWARDS CREEK

EFFECTIVE 15 SEPTEMBER 2005

Pursuant to Title 28.2, Chapter 8, §§28.2-803 through 28.2-808, §32.1-20, and §9-6.14:4.1, B.16 of the *Code of Virginia*:

1. The "Notice of Establishment and Description of Shellfish Area Condemnation Number 036-197, Milford Haven: Edwards Creek," effective 10 February 2005, is cancelled effective 15 September 2005.
2. Condemned Shellfish Area Number 036-197, shown as Sections A through D, is established, effective 15 September 2005. As to Sections A, B and C, it shall be unlawful for any person, firm, or corporation to take shellfish from these sections for any purpose, except by permit granted by the Marine Resources Commission, as provided in Section 28.2-810 of the Code of Virginia. As to Section D, it shall be unlawful for any person, firm, or corporation to take shellfish from this section for any purpose. The boundaries of these sections are shown on the map titled "Milford Haven and Edwards Creek, Condemned Shellfish Area Number 036-197, 15 September 2005" which is part of this notice.
3. The seasonal shellfish condemnation area defined as area number 036-197, shown as Sections M1, M2 and M3 is hereby established, effective 15 September 2005, and shall remain in force annually thereafter for the period beginning the first day of April through the last day of October until rescinded. It is unlawful for any person, firm, or corporation to take shellfish from this area during such period for any purpose, except by permit granted by the Marine Resources Commission, as provided in §28.2-810 of the *Code of Virginia*. The boundaries of these sections are shown on the map titled "Milford Haven and Edwards Creek, Condemned Shellfish Area Number 036-197, 15 September 2005" which is part of this notice.
4. The Department of Health will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of this order.

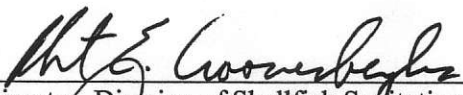
VDH VIRGINIA
DEPARTMENT
OF HEALTH
Protecting You and Your Environment

www.vdh.virginia.gov/shellfish

BOUNDARIES OF CONDEMNED AREA NUMBER 036-197

- A. The condemned area shall include all of that portion of Milford Haven enclosed by a line drawn from latitude/longitude map coordinate (37°29'19.4", -76°18'15.9") on the south shoreline, then northerly to map coordinate (37°29'23.5", -76°18'15.3"), then westerly to map coordinate (37°29'23.2", -76°18'36.9") on the north end of the bridge on Gwynn Island, then westerly along the shoreline to map coordinate (37°29'20.0", -76°18'41.9"), then easterly to map coordinate (37°29'23.2", -76°18'25.4"), then southerly to map coordinate (37°29'18.3", -76°18'24.7"), then along the shoreline to the point of beginning.
- B. The condemned area shall include all of Edwards Creek and its tributaries lying upstream of a line drawn from latitude/longitude map coordinate (37°29'39.8", -76°17'40.9") to map coordinate (37°29'33.5", -76°17'34.0").
- C. The condemned area shall include all of Barn Creek and its tributaries lying upstream of a line drawn from latitude/longitude map coordinate (37°29'17.7", -76°17'04.3") to map coordinate (37°29'14.9", -76°16'57.9").
- D. The condemned area shall include all of that portion of Milford Haven enclosed by a line drawn from latitude/longitude map coordinate (37°29'18.3", -76°18'24.7") on the south shoreline, then north to map coordinate (37°29'23.2", -76°18'25.4"), then southwesterly to map coordinate (37°29'20.0", -76°18'41.9"), then southerly to map coordinate (37°29'08.4", -76°18'45.2") then easterly along the shoreline to the point of beginning.
- M1. The seasonally condemned area shall include that portion of Milford Haven west of a line drawn from latitude/longitude map coordinate (37°29'21.1", -76°18'53.6") to map coordinate (37°29'07.9", -76°18'53.1"), and east of a line drawn from map coordinate (37°29'20.0", -76°18'41.9") to map coordinate (37°29'08.4", -76°18'45.2").
- M2. The seasonally condemned area shall include that portion of Milford Haven enclosed by a line drawn from latitude/longitude map coordinate (37°29'40.8", -76°18'27.7") to map coordinate (37°29'36.0", -76°18'13.4").
- M3. The condemned area shall include all of Edwards Creek and its tributaries lying upstream of a line drawn from latitude/longitude map coordinate (37°29'39.8", -76°17'40.9") to map coordinate (37°29'27.1", -76°17'39.3"), but excluding the area defined as Section B.

Recommended by:


Director, Division of Shellfish Sanitation

Ordered by:


State Health Commissioner

9/2/08
Date

Rappahannock River
04-00-00

Virginia Department of Health
Milford Haven and Edwards Creek
Condemned Shellfish Area 036-197
September 15, 2005

